

ADAMS AND REESE LLP

Attorneys at Law
Federal ID No.
72-0424362

March 23, 2012

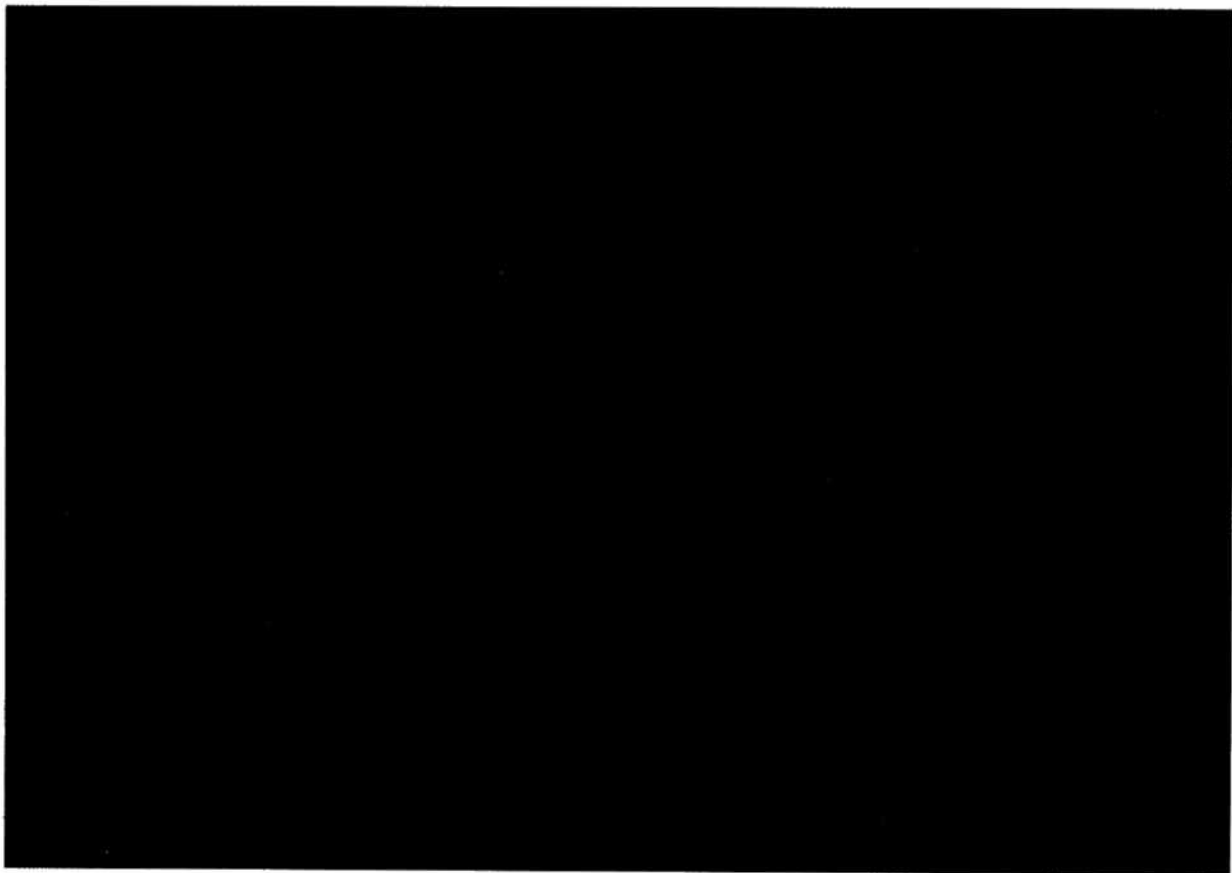
Invoice Number: 662773

Lakewood Church
Attn: Regan VanSteenis, Esq.
3700 South West Freeway
Houston, TX 77027

File Number: 020406-000001
Copyright Infringement Lawsuit
Client Ref. No. 9720092906001

Statement

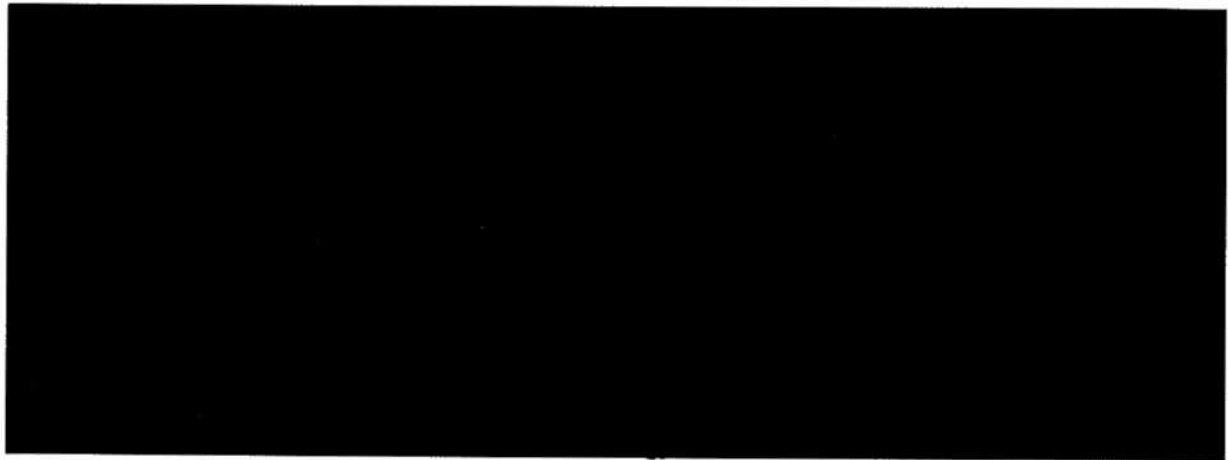
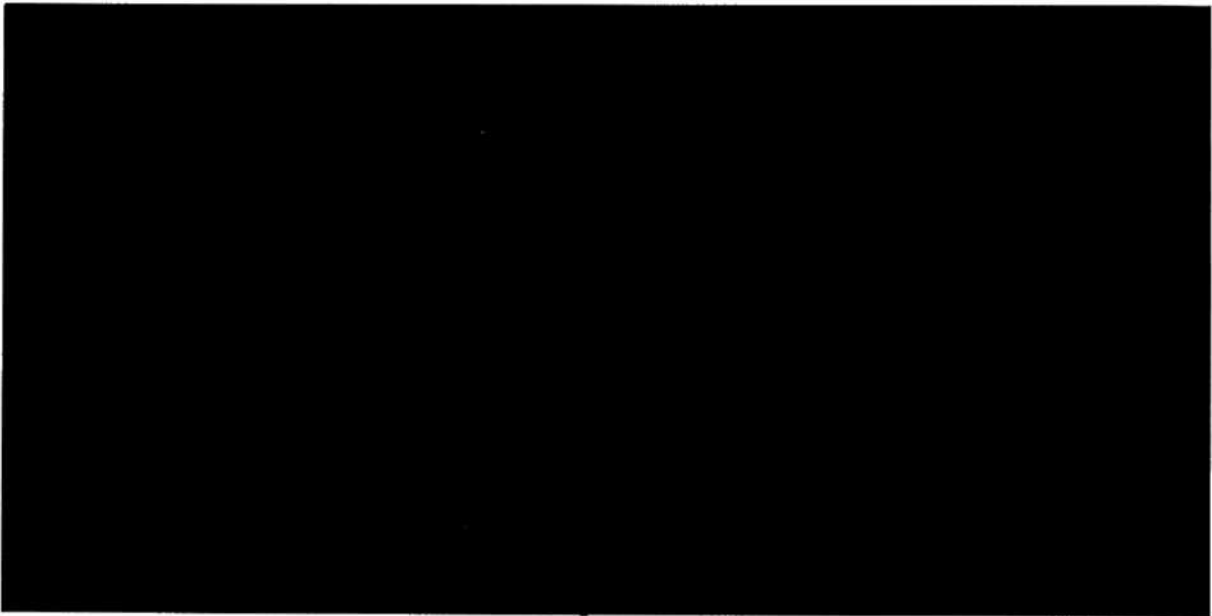
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02/21/12	H. Fasthoff, IV	.20	Review of notice of dismissal filed by plaintiffs under 41(1)(A)(i) and email to clients regarding same.
02/21/12	H. Fasthoff, IV	5.40	Analysis of cases interpreting voluntary dismissal under Rule 41 where court considers extrinsic evidence to determine whether plaintiffs are entitled to refile case.
02/21/12	H. Fasthoff, IV	1.10	Review and analysis of new complaint filed by plaintiffs in Eastern District of New York.
02/21/12	H. Fasthoff, IV	.40	Draft email to [REDACTED] after filing of new suit by plaintiffs in New York.

02/21/12	H. Fasthoff, IV	2.10	Analysis of cases regarding conversion of 12(b)(6) motion to summary judgment motion and whether conversion is automatic or must be explicitly stated by court.
02/22/12	H. Fasthoff, IV	3.80	Continue analysis of cases and statutes regarding possible award of attorney's fees for voluntary dismissal.
02/27/12	H. Fasthoff, IV	.20	Review and response to email from [REDACTED] regarding motion for attorney's fees and plaintiffs' notice of dismissal.
02/27/12	H. Fasthoff, IV	2.80	Begin drafting motion for attorney's fees under Rule 41(d) for purposes of attempting dispose of case.

[REDACTED]

02/28/12	H. Fasthoff, IV	3.30	Continue case analysis on issue relating to filing of voluntary dismissal after 12(b)(6) motion is converted to summary judgment for purposes of making res judicata argument and claim for attorney's fees or, alternatively, for transferring the case from NY to Houston.
02/28/12	H. Fasthoff, IV	2.50	Continue drafting motion for attorney's fees and costs under Rule 41(d).

[REDACTED]

02/29/12	H. Fasthoff, IV	8.40	Continue drafting motion for costs and fees under Rule 41(d).
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TOTAL HOURS

[REDACTED]

Timekeeper Fee Summary

Timekeeper	Hours Billed	Billed Per Hour	Bill Amount
H. Fasthoff, IV			
A. Anderson			
Totals			

TOTAL FEES DUE ADAMS AND REESE**Costs Advanced**

01/27/12	Other Professional Fees - Register of Copyrights	\$1,343.00
1/20/12	Fee for obtaining certified and uncertified certificates of registration and deposit materials for Yesh Music v. Lakewood Church	
	Computer Assisted Legal Research	\$0.00

TOTAL COSTS ADVANCED**\$1,343.00****TOTAL DUE ADAMS AND REESE**



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April 27, 2012

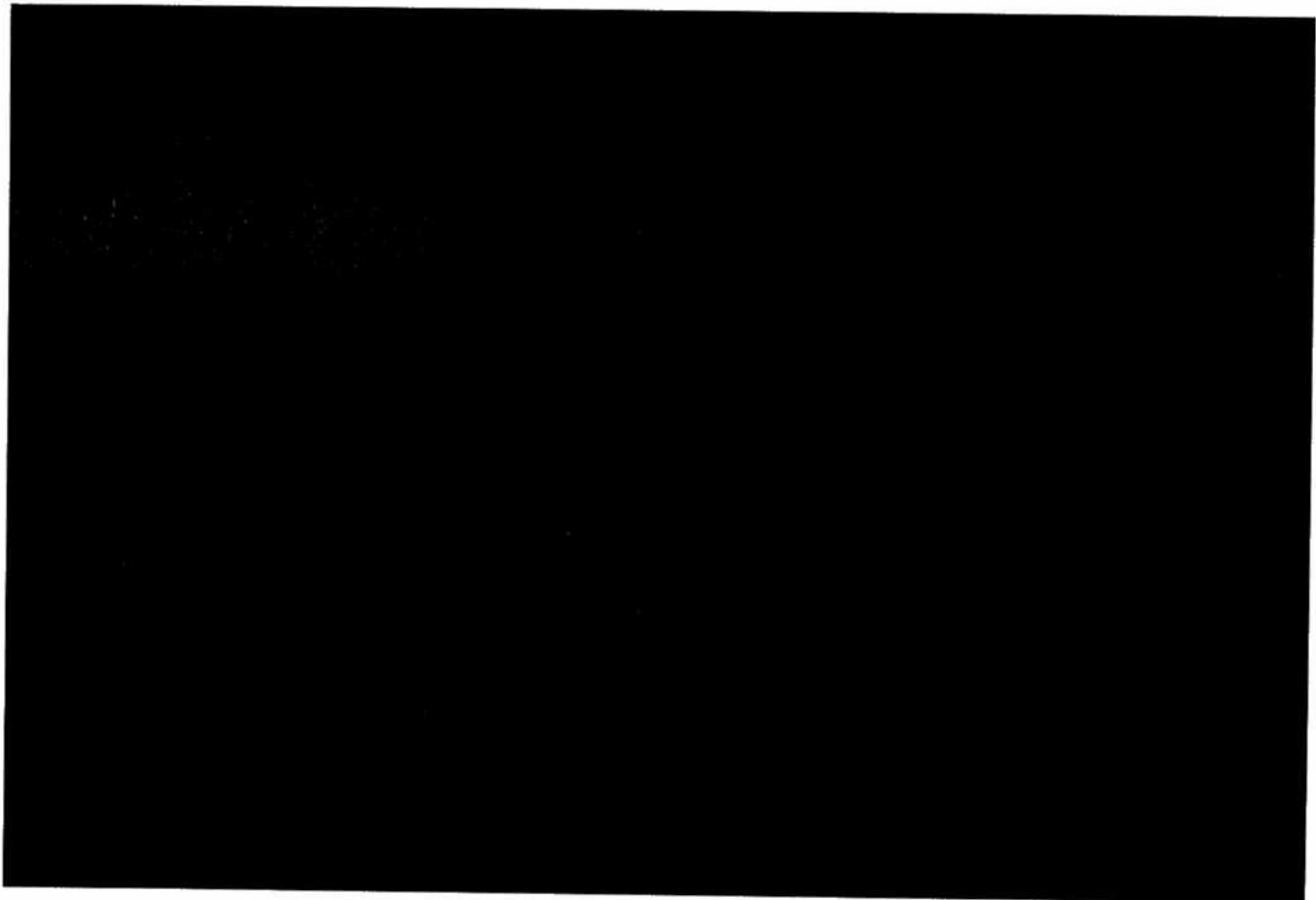
Invoice Number: 666907

Lakewood Church
Attn: Regan VanSteenis, Esq.
3700 SouthWest Freeway
Houston, TX 77027

File Number: 020406-000001
Copyright Infringement Lawsuit
Client Ref. No. 9720092906001

Statement

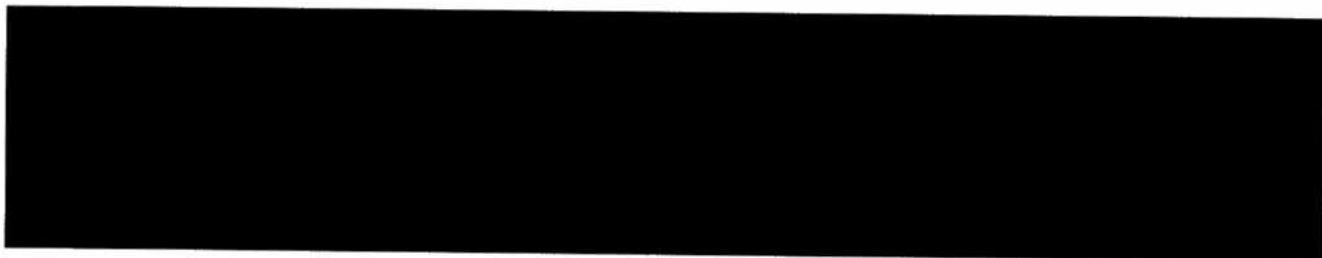
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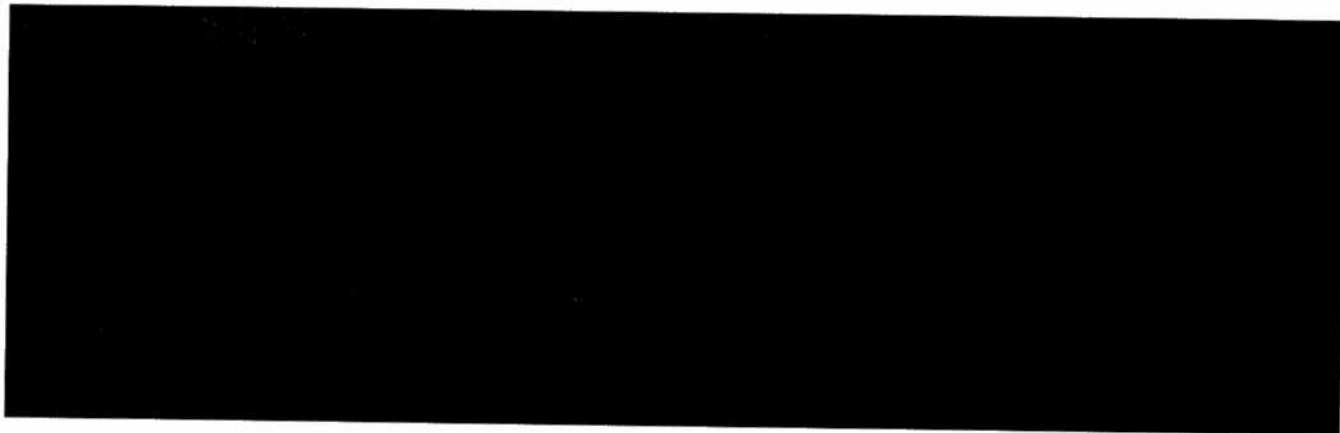
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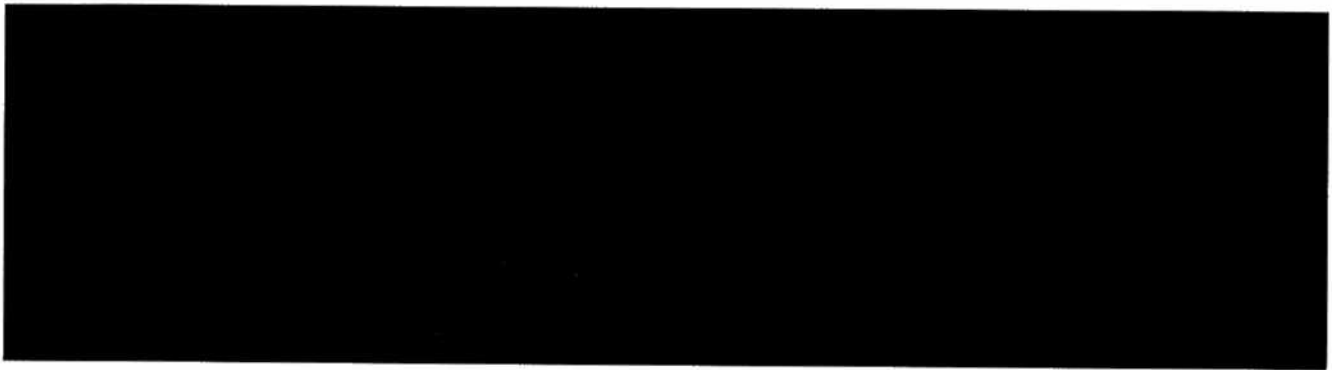
03/05/12	H. Fasthoff, IV	4.50	Continue draft motion for fees under Rule 41(d) and to stay NY proceedings.
03/05/12	H. Fasthoff, IV	1.30	Draft and file motion for costs and attorney's fees due to uncertainty of when time period begins running under Rule 54 and 17 USC 505 due to unique procedural posture of case.
03/06/12	H. Fasthoff, IV	3.40	Continue drafting of motion Rule 41(d) for attorney's fees and costs and to stay NY proceedings.
03/06/12	H. Fasthoff, IV	2.40	Continue drafting of motion Rule 41(d) for attorney's fees and costs to stay NY Proceedings.
03/07/12	A. Anderson	2.00	Research re: effect of plaintiff's voluntary dismissal on claim for attorney's fees; Research re: whether defendants can use Rule 54(b) to obtain a final judgment.



03/08/12	H. Fasthoff, IV	4.40	Continue Analysis of cases under Rule 41(d) authorizing court to award "costs" (and determine whether fees can be "costs") and order stay of subsequently filed proceedings when plaintiff voluntarily dismisses case.
03/08/12	H. Fasthoff, IV	5.70	Drafting of motion for costs and fees pursuant to Rule 41(d) and to stay NY Proceedings.

03/09/12 H. Fasthoff, IV	5.60	Finalize draft of motion for costs and fees under Rule 41(d) and motion for entry of final judgment for purposes of seeking attorney's fees [REDACTED] [REDACTED]
[REDACTED]		
03/13/12 H. Fasthoff, IV	1.80	Review and analysis of response of plaintiff's to defendants motion for fees and costs and develop strategy for [REDACTED] in motion for fees under Rule 41(d) [REDACTED] [REDACTED]
03/13/12 H. Fasthoff, IV	0.70	Review and analysis of complaint filed by "Yesh Music, Inc." to use as evidence of [REDACTED] [REDACTED]
03/14/12 H. Fasthoff, IV	0.30	Teleconference with NY counsel to discuss legal strategy for seeking costs, stay of NY action and transfer of case back to Texas.
[REDACTED]		
03/14/12 H. Fasthoff, IV	0.30	Second conference with NY counsel to discuss efforts to obtain extension of time to respond to complaint and coordinate filing of motion for costs under Rule 41(d) and motion for entry of final judgment in Houston.
03/15/12 A. Anderson	3.80	Research re: whether the Southern District of Texas can grant attorney's fees based upon plaintiff's refiling of suit in New York after voluntarily dismissal.
03/15/12 A. Anderson	2.30	Research re: whether a final judgment entered after a Rule 41 voluntary dismissal is void.
03/15/12 H. Fasthoff, IV	3.70	In response to issues raised by plaintiffs in response to motion for costs filed by clients, conducted analysis of cases on what appears to be an issue of first impression in the Fifth Circuit relating to whether a voluntary dismissal under Rule 41 makes a defendant a "prevailing party" for purposes of attorney's fees under Rule 54 and 17 USC s. 505.

03/15/12	H. Fasthoff, IV	3.30	Drafting of reply to response to defendants' motion for attorney's fees under Rule 54(d) and 17 USC s. 505.
03/19/12	H. Fasthoff, IV	0.40	Conference with Jon Ross to discuss and agree upon strategy for filing motions in New York [REDACTED] [REDACTED]
03/19/12	H. Fasthoff, IV	0.30	Conference [REDACTED] to discuss and obtain approval for strategy in NY and Texas cases.
03/19/12	H. Fasthoff, IV	3.40	Analysis of cases relating to attorney's fees under 17 USC § 505 and Rule 54(b) and average fees incurred in other cases for purposes of replying to plaintiffs' response to defendants' motion for fees.
03/19/12	H. Fasthoff, IV	4.90	Finalize draft of defendants' reply to plaintiffs' response to defendants' motion for fees under 17 USC § 505 and Rule 54(b).
03/19/12	H. Fasthoff, IV	0.70	Begin drafting affidavit of Hank Fasthoff in support of attorney's fees claim.
03/20/12	A. Anderson	3.80	Research re: whether a plaintiff has standing to maintain a copyright action if it was not assigned the right to past infringements until after plaintiff filed suit.
03/20/12	H. Fasthoff, IV	1.70	Analysis of cases regarding lack of standing to sue for infringements that occurred before the plaintiff acquired ownership of the copyright interest.
03/20/12	H. Fasthoff, IV	2.40	Continue drafting of detailed attorney's fees affidavit in support of motion for costs.
03/20/12	H. Fasthoff, IV	0.40	Review of redacted attorney's fees invoices to file in support of motion for costs.
03/20/12	H. Fasthoff, IV	2.60	Per [REDACTED] research cases relating to lack of standing to sue for infringement due to [REDACTED] [REDACTED]
03/20/12	N. Christian	1.10	Confer with Hank Fasthoff regarding redacting of invoices. Redact same for exhibit to motion for attorneys fees.
03/21/12	H. Fasthoff, IV	1.40	Modifications to attorney's fees costs declaration.
03/21/12	H. Fasthoff, IV	0.80	Draft proposed order granting motion for costs under 17 USC 505 and oversee filing thereof.



03/28/12	H. Fasthoff, IV	0.70	Review of motion for leave of plaintiffs to file sur-reply to motion for attorney's fees, and review of proposed sur-reply.
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03/28/12	H. Fasthoff, IV	1.80	Review pleadings, motion for attorney's fees, response to attorney's fees, reply to response in preparation for hearing on motion for attorney's fees, and begin preparing outline for argument.
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03/29/12	B. Lyles	0.50	Preparation of materials and exhibits for hearing on Defendant's Motion for Costs and Attorney's Fees.
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03/29/12	H. Fasthoff, IV	0.50	Teleconference with co-counsel in NY to discuss his pre-conference letter for filing in NY pursuant to local rules advising the court of the Defendants' intention to move to dismiss and for fees under Rule 41(d), and strategy for [REDACTED]
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03/29/12	H. Fasthoff, IV	0.40	Review and comments to pre-conference letter prepared by NY co-counsel for filing in NY to add important information relative to Texas court case.
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03/29/12	H. Fasthoff, IV	2.50	Prepare for hearing on motion for attorney's fees and costs under 17 USC 505.
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03/30/12	H. Fasthoff, IV	0.30	Review filed preconference letter from New York Action an draft correspondence transmitting same to Judge Chambers in Houston action for hearing on Monday.
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03/30/12	H. Fasthoff, IV	4.40	Continue preparation for hearing on motion for attorney's fees; analysis of cases cited by plaintiffs in response and surreply and formulation of arguments to refute theirs.
04/02/12	H. Fasthoff, IV	0.30	Draft email to clients providing status update on hearing on motion for attorney's fees, including [REDACTED]
04/02/12	H. Fasthoff, IV	0.90	Attend hearing on motion for attorney's fees.
04/02/12	H. Fasthoff, IV	5.80	Finalize preparation for hearing on motion for attorney's fees, development of outline, and analysis of cases.
04/03/12	H. Fasthoff, IV	0.30	Teleconference with co-counsel in New York to discuss results of hearing on motion for attorney's fees [REDACTED]
04/03/12	H. Fasthoff, IV	0.50	Draft letter for filing in NY case that reports on events that occurred during motion for attorney's fees hearing in Houston case, for review and comments of NY counsel.
04/03/12	H. Fasthoff, IV	0.10	Second call with NY co-counsel to discuss strategy for [REDACTED]
04/03/12	H. Fasthoff, IV	3.90	Analysis of cases regarding two-voluntary-dismissal rule under Rule 41(a) resulting in dismissal with prejudice even if both voluntary dismissals are purported to be without prejudice.
04/04/12	H. Fasthoff, IV	1.20	Analysis of cases regarding privity of parties for res judicata purposes in connection with [REDACTED]
04/04/12	H. Fasthoff, IV	1.80	Analysis of cases holding that orders entered by a court after a voluntary dismissal are void.

[REDACTED]

[REDACTED]

04/06/12	H. Fasthoff, IV	0.30	Review of transcript from hearing on motion for attorney's fees.
04/06/12	H. Fasthoff, IV	1.80	Analysis of cases regarding self-executing effect of dismissal under Rule 41 and cases regarding [REDACTED] [REDACTED]
04/06/12	H. Fasthoff, IV	1.00	Draft email to clients regarding self-executing effect of dismissal under Rule 41 and [REDACTED] [REDACTED] for use in filing a letter with the NY court.
04/09/12	H. Fasthoff, IV	4.90	Analysis of cases to determine whether "prevailing party" fees may be awarded against a party who falls within the two-dismissal rule of Rule 41 as plaintiffs do in this case for purposes of determining whether fees incurred in NY case may be awarded due to second dismissal filed by plaintiffs.
04/10/12	H. Fasthoff, IV	1.40	Continue analysis of availability of fees and costs after second dismissal under Rule 41 due to adjudication of case on merits.
04/11/12	H. Fasthoff, IV	3.30	Determination through analysis of cases that costs and fees may be awarded under two-dismissal rule of Rule 41; [REDACTED] [REDACTED]
04/17/12	H. Fasthoff, IV	0.10	Call with [REDACTED] regarding status of Texas and NY cases.
04/19/12	H. Fasthoff, IV	0.80	Review of correspondence filed by plaintiff's counsel in NY and Texas cases and filed by clients in both cases in connection with preparing for status conference in Houston at which the court will require argument regarding the effect of plaintiff's voluntary dismissal.
04/20/12	H. Fasthoff, IV	4.40	Review transcript from hearing on motion for attorney's fees, cases regarding self-executing, automatic nature of a dismissal under Rule 41, [REDACTED] [REDACTED] prepare outline for hearing on case status and whether there is an existing case in which plaintiffs may file an amended complaint.

04/20/12	H. Fasthoff, IV	1.20	Attend status conference to discuss whether there exists a case in which plaintiffs may file an amended complaint.
04/24/12	H. Fasthoff, IV	5.60	Analysis of cases at the intersection of Rule 60(b) and Rule 41(a) to ascertain valid bases for court to award fees and costs at a time when there is no pending case in the Texas.
04/24/12	H. Fasthoff, IV	2.40	Begin drafting motion for costs based on authorization from court to seek fees incurred in New York Action.
04/25/12	H. Fasthoff, IV	3.50	Analysis of cases to determine whether court has jurisdiction to enter order for costs/fees in favor of clients prior to granting Rule 60(b) relief in favor of plaintiff due to non-existence of case caused by plaintiff's voluntary dismissal under Rule 41.
04/25/12	H. Fasthoff, IV	4.70	Analysis of cases regarding the standard for granting/denying motions for relief from judgment under Rule 60(b) and interpretation of the phrase "final judgment, order or process" and cases considering whether a voluntary dismissal under Rule 41 is considered a "process."
04/25/12	H. Fasthoff, IV	2.40	Continue drafting motion for attorney's fees and costs incurred after voluntary dismissal of Texas case, including fees incurred in New York case.

TOTAL HOURS

[REDACTED]

Timekeeper Fee Summary

	Hours Billed	Billed Per Hour	Bill Amount
Timekeeper			
H. Fasthoff, IV	[REDACTED]	[REDACTED]	[REDACTED]
A. Anderson			
B. Lyles			
N. Christian			
Totals			

TOTAL FEES DUE ADAMS AND REESE

[REDACTED]

Costs Advanced

03/21/12	Court/Public Records fee - Secretary of State of Texas	\$3.00
03/21/12	Court/Public Records fee - Secretary of State of Texas	\$3.00

03/22/12	Federal Express 3/19/2012 FedEx from: Henry Hank J. Fasthoff, IV FedEx to: Jon Ross-CAPLAN & ROSS, LLP. 270 MADISON AVE FL 13, NEW YORK CITY, NY	\$8.23
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Computer Assisted Legal Research	\$0.00
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Photocopies	\$1.50
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Fax	\$2.50
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Long Distance Telephone Calls	\$18.43
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TOTAL COSTS ADVANCED	<u>\$36.66</u>
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TOTAL DUE ADAMS AND REESE

